

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL NOTE**

SB 2098 - HB 2453

February 19, 2022

SUMMARY OF BILL: Requires the Department of Children's Services (DCS) to remove and destroy all records of an investigation into an individual, within 90 days of the closure of a case, if the investigation failed to find probable cause to believe that a child in the individual's care was dependent and neglected or that the individual committed a criminal offense.

FISCAL IMPACT:

The fiscal note issued on February 14, 2022 was in error. Based on additional information received from the Department of Children's Services the corrected fiscal impact is as follows:

(CORRECTED)

Increase State Revenue – \$967,600/FY22-23/Strategic Technology Solutions

Increase State Expenditures –

\$967,600/FY22-23/Department of Children's Services

Assumptions:

- The proposed legislation will require DCS to modify the Tennessee Family and Child Tracking System (TFACTS) to allow for deletion of records on an investigation from the permanent records system.
- This work will be performed by the Department of Finance and Administration's Strategic Technology Solutions (STS).
- There will be a one-time increase in state expenditures to DCS of \$967,572 for updates to TFACTS as well as a corresponding one-time increase in state revenue to STS of \$967,572.
- DCS currently has a process for destroying historical case records. If a case is closed with no findings of neglect or abuse then the records are to be destroyed upon the youngest alleged child victim's nineteenth birthday, or after seven years.
- It is assumed that historical cases will be handled under the existing DCS policies and that the proposed legislation will apply to investigations taking place after the effective date of the act.

- DCS will utilize existing staff to perform the removal and destruction of files. If DCS is required to destroy historical records ahead of the current timeline then the number of hours required to complete the removal would likely extend outside of regular work periods.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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